



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA
Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 2020-141

AN ORDINANCE PENALIZING PRANK CALLERS OF MUNTINLUPA CITY
EMERGENCY HOTLINES

Sponsored by:

Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Engr. Marissa C. Rongavilla –VIA ZOOM
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, Article II, Sections 4 and 5 of the 1987 Philippine Constitution provide that the prime duty of the Government is to serve and protect the people, and maintain peace and order, protect life, liberty, and property, and promote the general welfare for the enjoyment by all the people of the blessings of democracy;

WHEREAS, Article II, Section 24 of the Constitution recognizes the vital role of communication and information in nation-building;

WHEREAS, Republic Act No. 7926 otherwise known as the “**Charter of the City of Muntinlupa**” states that it is the mandate of the local government unit to carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;

WHEREAS, the frequency of natural disasters and the threat to peace and order posed by criminality and other disturbances require the dedicated efforts of both the government and the private sector;

WHEREAS, on **07 September 2020**, the **City Administrator** issued a Memorandum providing the **Muntinlupa Emergency Hotline 137-175** with the aim to streamline the process of receiving and processing the phone calls from the general public on public response;

WHEREAS, the City Government of Muntinlupa aims to protect public safety and security, to maintain peace and order, to urgently respond to emergencies and crisis situations, and to prohibit malicious and improper use of telecommunication devices;



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NOW THEREFORE, BE IT ENACTED, AS IT HEREBY ENACTED, by
9th Sangguniang Panlungsod of Muntinlupa in Session assembled that:

SECTION 1. Title. This ordinance shall be known as the “Anti-Prank Callers Ordinance of Muntinlupa City.”

SECTION 2. Coverage. This Ordinance shall apply to all individuals, who shall make a call through any of the Muntinlupa City emergency hotlines and whose identity shall be determined through the registered caller ID at the time the call was made or through any applicable and legal methods, subject to the limitations of the Data Privacy Act and other existing and applicable laws, rules, and regulations.

SECTION 3. Definition of Terms. The following terms are defined for the purpose of this Ordinance:

- (a) **Prank call** refers to the use of a telecommunication service provider that involves the following:
 - i. Making a false requests or false alarm of an emergency, knowing the report or information to be false;
 - ii. Willfully conveying false information, hoax or fraudulent report, or to cause confusion, inconvenience, distress, or panic;
 - iii. Making a mischievous or malicious call to trick or fool someone with the intention to annoy, abuse, threaten, harass, intimidate, frighten or solicit any comment, request, suggestion, or sound obscene, lewd, lascivious, filthy, or indecent; or
 - iv. Repeatedly initiate unnecessary calls, without speaking, deliberately hanging up or breaking the service connection as or after the call is answered.
- (b) **Emergency** refers to a serious, unexpected, and often dangerous situation requiring immediate attention and action. This includes effects of natural and man-made disasters and calamities, life threatening health concerns, infectious diseases, and those events with assumption of risks to life, liberty, and property of an individual or entity; and
- (c) **Hotline** refers to a direct telecommunication set up for a specific purpose.



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SECTION 4. Prohibition. Emergency hotlines established by the City Government of Muntinlupa for responding to emergencies shall, at all times, be free from receiving unnecessary calls. It shall be prohibited for any individual to make prank calls to any emergency hotlines at any time.

SECTION 5. Implementation. The *Muntinlupa City Disaster Risk Reduction Management Office (MCDRRMO)* which is the lead department in the implementation of this ordinance, shall set up a system for deterring prank callers, which may be in form of recorded message to the effect that malicious use of the emergency hotlines shall subject to prosecution/penalty under the ordinance.

SECTION 6. Referral to the National Government Agencies. In case the identity of the prank caller is uncertain or not particularly determined, such case shall be referred to the national government agencies, including, but not limited to the National Bureau of Investigation (NBI), National Telecommunications Commission (NTC), and Philippine National Police (PNP), subject to existing and applicable laws, rules, and regulations.

SECTION 7. Penalties. Any person who violates this Ordinance, upon notice, shall be penalized with a **fine of not less than One Thousand Pesos (PhP1,000.00) but not more than Five Thousand Pesos (PhP5,000.00), or imprisonment of not less than thirty (30) days but not more ninety (90) days, or both.** The number used to make the prank call shall be the primary determinant of the person to be prosecuted under this Ordinance.

For **violators who are minors**, the following penalties shall be imposed and the fine shall be charged against their parent/s or guardian/s, as applicable:

- (a) **First Offense** – mandatory whole-day seminar to be conducted by the **DRRMO**;
- (b) **Second Offense** – withdrawal of scholarship grants from the local government. For non-grantee, a fine amounting to Three Hundred Pesos (PhP300.00); and
- (c) **Third and Succeeding Offenses** – Fine amounting to Five Hundred Pesos (PhP500.00)

Provided, that the foregoing penalties shall be imposed without prejudice to the charges under the **Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act (R.A. 11332)**, **Bayanihan to Heal as One Act (R.A. No. 11469)**, **Bayanihan to Recover as One Act (R.A. No. 11494)**, and other liabilities under the **Revised Penal Code** or any special law arising out of the prohibited act herein.



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SECTION 8. Separability Clause – If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby shall continue in full force and effect.

SECTION 9. Repealing Clause – All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 10. Publication - This Ordinance shall be published pursuant to the requirements of the Local Government Code and shall be posted by the Public Information Office (PIO) in the Official Website of the City Government of Muntinlupa and in all available social media platforms.

SECTION 11. Effectivity – This Ordinance shall immediately take effect upon approval. Copies of this Ordinance shall be furnished to the Office of the Mayor, Office of the City Administrator, City Legal Office, City Health Office, Philippine National Police-Muntinlupa City Station, Bureau of Fire Protection-Muntinlupa City Station, Muntinlupa Traffic Management Bureau, Department of Disaster Resilience Management and other concerned offices, for their information and proper implementation.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 12th day of October, 2020, on its 66th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member



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COUN. FRANCIS IAN T. BAGATSING
Member



COUN. MARK LESTER M. BAES
Member

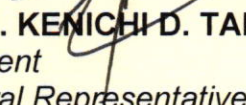
(ABSENT)
COUN. MA. DHE SIREE G. AREVALO
Member


COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

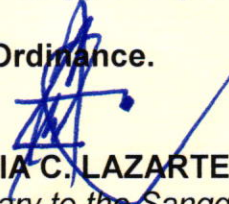

COUN. ENGR. ARLENE D. HILAPO
Member


COUN. CORNELIO M. MARTINEZ
Member

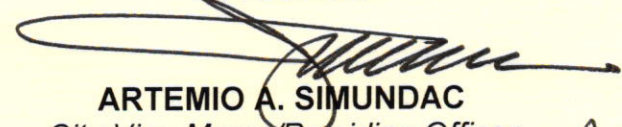

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman


COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: 20 OCT 2020